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Zone of peace and cooperation of the South Atlantic

Zone of peace and cooperation of the South Atlantic

Report of the Secretary-General**

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* A/60/150.

** The present report was prepared on the basis of replies from organizations and bodies of the United Nations system and Member States.

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I. Introduction

1. On 5 November 2003, the General Assembly adopted resolution 58/10 entitled "Zone of peace and cooperation of the South Atlantic", in which it took note of the report of the Secretary-General (A/58/265) and requested the relevant organizations, organs and bodies of the United Nations system to render all appropriate assistance that States members of the zone might seek in their joint efforts to implement the declaration of the zone of peace and cooperation of the South Atlantic. The Assembly further requested the Secretary-General to keep the implementation of resolution 41/11 of 27 October 1986 and subsequent resolutions on the matter under review and to submit a report to the General Assembly at its sixtieth session, taking into account, inter alia, the views expressed by Member States.

2. Pursuant to resolution 58/10, the Secretary-General addressed a note verbale, dated 2 June 2005, to the Governments of the States Members of the United Nations requesting their views on the implementation of the declaration of the zone of peace and cooperation of the South Atlantic. On 2 June, letters were also dispatched to the relevant organizations and bodies of the United Nations requesting them to submit by 30 June 2005 their contributions for the preparation of the report of the Secretary-General.

3. As at 8 August 2005, five Governments had replied and one communication had been received from the organizations and United Nations bodies addressed. Those replies are reproduced in sections II and III of the present report. Any further replies received will be issued as addenda to the present report.

II. Replies received from Governments

Argentina

[Original: Spanish]
[27 June 2005]

The Argentine Republic reaffirms its commitment as a member State of the zone of peace and cooperation of the South Atlantic, which is the only interregional mechanism bringing together the States of South America and Africa and serves as a forum for consultations on issues of common interest with a view to the achievement of their objectives, as set forth in General Assembly resolution 41/11.

Stressing once again the importance of the objectives of the zone as the basis for encouraging cooperation between the two regions, Argentina still believes that their content needs to be updated.

Argentina maintains its strong conviction that the objectives of peace and cooperation which inspired the creation of the zone can be attained only in conjunction with the promotion of sustainable development and social progress, the full effectiveness of institutions of representative democracy and respect for human rights and fundamental freedoms.

Argentina considers that the nature of the zone and the scope of its objectives make it a forum offering those nations that so require a cooperative way to achieve the peaceful resolution of conflicts.

In 1998, inspired by its firm desire to promote peace and security and economic and social development and by its resolve to foster relations of cooperation among member countries the Argentine Republic assumed the role of coordinator of the zone's standing committee. To that end, Argentina proposed a series of consultations, actions and initiatives with the aim of making progress in the various areas of the Buenos Aires final declaration and plan of action adopted at the fifth meeting of the States members of the zone, held in Buenos Aires on 21 and 22 October 1998 (see A/53/650, annex).

Argentina has emphasized the potential for coordination and political consultations among the States members of the zone with regard to the issues of common interest being addressed by the United Nations. In this context, Argentina is convinced that the zone could constitute a valuable forum for supporting and promoting economic progress, democracy and human rights in the South Atlantic.

In line with the Buenos Aires plan of action, Argentina has reiterated its interest in deepening and strengthening the links among the members of the zone through intensified exchanges of information from each country, including on political, economic, social and cultural issues.

As the Argentine delegation indicated on 30 March 2005 in the open debate of the Security Council on Africa, the United Nations needs to tackle the issue of conflicts in Africa in an integrated manner by adopting a coordinated approach not only towards the vital dimension of security but also towards humanitarian and developmental dimensions. The recurrence of conflicts and their multiple dimensions has to give rise to solutions that are more creative and comprehensive. In many situations, the underlying economic, social and political conditions that create or aggravate the conflicts remain unchanged during the course of military action and return in full force, or are even exacerbated, once the armed conflict appears to be heading towards a resolution. This highlights once again the pressing need to take action in the post-conflict phase, or even in the final stages of the crisis, with the aim of laying the foundations to prevent the resurgence of those conflicts. Such foundations must include, among other elements, practical steps in the areas of development and reconstruction, human rights, the rule of law and democracy. Argentina believes that the objectives and the plan of action of the zone of peace and cooperation of the South Atlantic could be valuable instruments in those spheres.

Considering that democracy, the rule of law and human rights constitute shared values of the regions of South America and Africa, Argentina is of the opinion that the objectives of cooperation in the zone of peace can be attained provided that unrestricted respect for human rights and fundamental freedoms is guaranteed, in order to ensure that democratic institutions are fully effective and thus contribute to international peace and security.

Argentina attaches great importance to the New Partnership for Africa's Development (NEPAD) initiative. Accordingly, it participated at the level of Minister for Foreign Affairs in the High-level Plenary Meeting of the General Assembly devoted to NEPAD, held in New York on 16 September 2002. In its statement, Argentina stressed its total support for the development strategy of the African Union, in line with the policy of according priority to its bilateral relationship with the African continent. The statement also emphasized the contributions made by Argentina to Africa in the areas of peacekeeping operations,

humanitarian assistance, good governance, technical cooperation and cooperation for development.

Argentina also emphasized that the zone of peace and cooperation of the South Atlantic was the proper body to channel initiatives intended to deepen cooperation among its member countries. In that context, Argentina pointed out that it had strengthened its political relationship with Africa and was determined to go further in that direction in the medium term through ongoing dialogue and bilateral cooperation.

With regard to cooperation with Africa in the specific area of peacekeeping operations, Argentina wishes to emphasize that in addition to other missions on the African continent, it has three officers from the national gendarmerie taking part in the United Nations Operation in Côte d'Ivoire, two officers from the national gendarmerie taking part in the United Nations Organization Mission in the Democratic Republic of the Congo, and two officers from the Argentine Coast Guard in the United Nations Mission in Liberia. It is also envisaged that two officers from the national gendarmerie would shortly be participating in the United Nations Mission in the Sudan.

Argentina is a party to various international agreements that regulate the production and illicit trade in small arms and light weapons and plays an active role in discussion forums at the global, regional and subregional levels.

The illicit trade in small arms and light weapons constitutes a clear risk to the safety and well-being of not only Argentina but also the region as a whole. As a responsible State, Argentina considers that it has a duty not only to exercise domestic control over firearms but also to cooperate with the rest of the international community to prevent the diversion of weapons to the black market. For this reason, it is important to ensure adequate domestic control over the use and possession of such weapons and over international transfers.

The international instruments in force require the establishment of legislative measures and procedures to curb the domestic circulation of such weapons, including security measures for stockpiles, disarmament policies and awareness-raising among civil society.

With reference to the two relevant instruments of the United Nations: the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/15 (Supp.) chap. IV, para. 24); and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, the latter is currently before the Foreign Affairs Committee of the Chamber of Deputies. Argentina hopes to complete the requisite domestic procedures in 2005.

Within the context of the Organization of American States (OAS), Argentina has ratified the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials. The content of this instrument ranges from the establishment as criminal offences of the illicit manufacture of and trafficking in firearms, including criminal attempts to commit offences and aiding, abetting, facilitating and counselling the commission of offences, to provisions on labelling; confiscation and forfeiture; security measures for storage; licences for export, import and transit; record keeping and exchange of

information; technical assistance; mutual legal assistance; controlled delivery; and extradition.

In addition, in the area of export controls, Argentina became a party to the Wassenaar Arrangement in 1997. In 2002, the States parties to the Wassenaar Arrangement decided to include the category of small arms and light weapons. As a result, before authorizing weapons exports, Argentina, through either the National Arms Registry and/or through Committee 603, has to take into account, among other factors, the political, social and economic situation of the country of destination, the stability of the region, the risk that the weapons might be used against the civilian population and the existence of United Nations embargoes.

Within the framework of MERCOSUR (South American Common Market), Argentina has held periodic meetings related to the working group on firearms, ammunition, explosives and other related materials. The working group was set up in 2001 with the aim of harmonizing the legislation of the States parties and associated States on the control of firearms, ammunition and explosives. One recent result was the drafting and subsequent signing at the level of Minister for Foreign Affairs of a memorandum of understanding on the exchange of information in real time concerning the illicit trade in firearms. This memorandum established the Ministry of Foreign Affairs as the national contact point for the transmission of requests for information from States parties concerning potential groups that might illicitly traffic in those items and the provision of exchanges of information on a data register covering weapons produced, sold domestically, exported and imported by the States parties. In addition, a similar memorandum was signed with Brazil.

With regard to contributions made in the area of humanitarian mine clearance, and with reference to commitment No. 10 of the 1998 plan of action of the zone of peace, Argentina wishes to underline the progress that has been made with regard to articles 4, 5 and 6 of the Ottawa Convention on Landmines, article 6 being the basis for achieving the objectives of the Convention.

With reference to article 4 of the Convention, the Argentine Republic's plan for destruction was completed in December 2004, with a total of 90,166 stockpiled anti-personnel mines having been destroyed. In accordance with article 3 of the Convention, the fewer than 2,000 mines that were retained were divided between the Argentine Army and Navy for training purposes.

In this context, Argentina undertook to communicate the purpose of the retention and the use made of such mines in its national report, as required under article 7 of the Convention; Argentina submits such reports every year. At the same time, Argentina hopes that all States parties will submit this information in order to strengthen the transparency measures provided for under the Convention.

The plan for the destruction of stockpiled mines was carried out in line with the agreement on cooperation and technical assistance between the Argentine Republic and the Secretary-General of OAS relating to the project for the destruction of stockpiled anti-personnel mines, for which financial assistance was provided by Canada.

In line with the foregoing and in the context of article 6 of the Convention, Argentina undertook to communicate, to both the regional and the international communities, all information and use of technology that might assist in the elaboration of national plans for the destruction of stockpiled mines.

Argentina has undertaken to continue to apply United Nations international mine action standards and to make recommendations on the basis of lessons learned with a view to their optimization.

In the context of article 5 of the Convention, Argentina has already reported on its participation in various mine clearance activities in Angola under the White Helmets Initiative. Furthermore, Argentina would like to draw attention to the existence of its centres for training and capacity-building in humanitarian mine clearance at which courses are offered to civilian and military personnel.

Argentina hopes that this experience can be extended to more countries that are interested in training and in updating their materials relating to mine action. Argentina stands ready to offer training and any other relevant assistance to foreign personnel and officers.

The Argentine Republic considers it important that the positions of the States comprising the zone be coordinated, within the context of the meeting of the States parties to the United Nations Convention on the Law of the Sea, in the consultative process on oceans established by General Assembly resolutions 54/33 and 57/141.

Argentina considers it particularly important to protect the safety of maritime navigation and to preserve the marine environment in the South Atlantic, objectives shared by the other States members of the zone.

In order to promote those objectives in an effective manner, Argentina considers it necessary that the States members of the zone participate actively in the bodies of relevant international organizations of the United Nations system in the area of maritime transportation and protection of the marine environment, in particular the International Maritime Organization (IMO), and thus coordinate their positions on those topics that are considered to be of common interest.

Among those topics, priority should be accorded to the ongoing importance of ensuring that the transportation by sea of radioactive and hazardous wastes is carried out in full conformity with the United Nations Convention on the Law of the Sea, with special attention being paid to the rights and interests of coastal States, and with the applicable standards of IMO and the International Atomic Energy Agency. In addition, and taking into account the growing volume of maritime transport of goods and persons in the South Atlantic, due attention should be paid to the need to protect human life in this area and to preserve the marine environment from pollution from various sources, including oil and fuel.

The task of coordination referred to above necessarily implies that all States members of the zone should ratify or accede to international conventions on the safety of maritime transport and protection of the marine environment. Argentina is a State party to the majority of those international conventions and regularly evaluates its adherence to new rules adopted on those issues, principally within the framework of IMO. The most recent examples are the signing by Argentina in December 2004 of the International Convention for the Control and Management of Ships' Ballast Water and Sediments and its increased participation in the international regulatory scheme of compensation for damage caused by maritime accidents involving oil spills.

With regard to cooperation in combating international terrorism, in accordance with Security Council resolution 1373 (2001) and other resolutions on the issue,

Argentina notes with satisfaction the growing number of ratifications by the States of the zone of the United Nations conventions and protocols relating to terrorism and urges States that have not yet done so to accede to them as quickly as possible. Similarly, it urges States to adopt the measures necessary for the effective application of those conventions and protocols, including the adaptation of domestic legislation to the obligations therein, with full respect being maintained for international human rights standards, international humanitarian law and the rights of refugees.

Argentina has encouraged States of the zone to exchange information on measures taken with respect to drug control, breaking down the data into areas such as:

(a) Illicit trafficking in narcotic drugs and psychotropic substances;

(b) Prevention and assistance programmes;

(c) Controls on the diversion of chemical precursors.

Such exchanges should be carried out in conformity with the provisions of paragraph 7 of the Buenos Aires plan of action.

States members could thus determine specific needs and make concrete proposals for assistance to the United Nations International Drug Control Programme. To that end, States members could submit a joint request for cooperation to the United Nations International Drug Control Programme, in accordance with the provisions of paragraph 4 of the Buenos Aires plan of action.

In addition, the States of the zone could promote the organization of a regional conference on the prevention of drug abuse and the control of the narcotics trade, with the objective of determining the needs and opportunities for cooperation in the area of drugs.

In addition, Argentina considers it opportune to reaffirm the provisions of paragraphs 7 and 8 of the Buenos Aires plan of action, concerning the development of bilateral and multilateral cooperation in the prevention of drug use and the control of drug trafficking and related crimes.

The White Helmets Committee of the Argentine Republic carried out a number of activities of interest to the countries comprising the zone of peace and cooperation of the South Atlantic, including the following:

(a) In September 2004, the White Helmets Committee organized an OAS/Inter-American Development Bank/White Helmets Commission regional seminar in Montevideo on the promotion of volunteer humanitarian assistance in Latin America and the Caribbean (the White Helmets Initiative) in which two representatives from each country of the South American region took part, together with specialists in the campaign against hunger, in poverty and in risk management. The aim was to strengthen volunteer mechanisms to deal with situations of extreme poverty with a view to establishing a regional White Helmets initiative network in the future;

(b) The White Helmets Committee of Argentina is ready to contribute its human resources and its installed capacity to increasing preparedness in the population and evaluating the risk of disasters in the African countries belonging to the zone of peace and cooperation of the South Atlantic within the framework of

programmes or projects that are currently in the approval process or are already being carried out in those countries that have the financial resources necessary for the activities required.

It is important to point out the colonial realities of the Falkland Islands (Malvinas), and South Georgia and the South Sandwich Islands and the surrounding maritime areas, which affect the territorial integrity of the Argentine Republic. Despite the efforts made by Argentina in favour of dialogue and the peaceful and definitive solution of the issue of the Falkland Islands (Malvinas), its commitment to respect the way of life of the inhabitants of the islands and numerous appeals from the international community for a negotiated settlement, it has not been possible to resume negotiations between the Government of the Argentine Republic and the Government of the United Kingdom of Great Britain and Northern Ireland directed towards putting an end to the sovereignty dispute. The Argentine Republic considers that a solution to this important issue would help to consolidate stability and cooperation in the South Atlantic on a permanent basis.

Bolivia

[Original: Spanish]
[28 July 2005]

The establishment by the General Assembly, in its resolution 41/11, of a zone of peace and cooperation in the South Atlantic in the region situated between Africa and South America was without doubt a document of great importance to all countries of the region. The resolution called upon all States of the zone to implement policies designed to enhance and accelerate their cooperation in the political, economic, scientific, cultural and other spheres.

It also called upon all States to preserve the region from militarization, the arms race, the presence of foreign military bases and, above all, nuclear weapons or weapons of mass destruction, and reaffirmed the principle that the acquisition of territories by force is inadmissible under the provisions of the Charter of the United Nations.

General Assembly resolution 58/10, which was based on General Assembly resolution 41/11, called upon all States to cooperate in the promotion of the objectives established in the declaration of a zone of peace and cooperation in the South Atlantic and to refrain from any action inconsistent with those objectives and relevant resolutions of the United Nations, in particular actions that may create or aggravate situations of tension and potential conflict in the region.

Resolution 58/10 also noted with satisfaction the agreements reached under the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) and the progress achieved on the same subject in Africa, under the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba), as well as the strengthening of global, regional, subregional and national initiatives to prevent, combat and eradicate the illicit trade in small arms and light weapons. It also viewed with concern the increase in drug trafficking and related crimes.

The Ministry of Defence of the Republic of Bolivia has always asserted its support for and agreement with all initiatives aimed at strengthening peace and cooperation processes, whether at the global, regional, subregional and/or national

level. Bolivia is a State party to all international organizations that work to achieve disarmament, combat terrorism and drug trafficking, and promote democracy and the peace process, in accordance with the Universal Declaration of Human Rights. In this regard, Bolivia hereby affirms its support for General Assembly resolutions 41/11 and 58/10.

Iraq

[Original: Arabic]
[30 June 2005]

The Government of Iraq supports the establishment of the zone of peace and cooperation of the South Atlantic, as a project that highlights the importance of linking the issues of peace, security and development. Cooperation in this zone towards peace and development would promote the establishment of global security and stability. Iraq has a positive attitude towards the issue, thereby affirming its desire to show a new image to the international community and to make a constructive contribution to the achievement of global security and stability.

Kenya

[Original: English]
[25 July 2005]

Kenya, as a signatory to the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba), supported the establishment of the zone of peace and cooperation of the South Atlantic.

As a member of the zone, Kenya continues to promote regional and national initiatives in the area of small arms and light weapons. Kenya hosted the Government experts meeting on the Nairobi declaration on small arms from 16 to 20 May 2005 and the third Ministerial Conference on 20 and 21 June 2005. At the third Ministerial Conference, the Ministers for Foreign Affairs signed an agreement on the establishment of a Regional Centre on Small Arms, which will be based in Nairobi.

The successful mediation of Kenya in the Somalia and Sudan peace talks resulted in the return of peace and security in the region, thereby enabling the region to contribute to the implementation of General Assembly resolution 58/10. This was also evident through Kenya's work in the Nairobi secretariat. Kenya looks forward to the sixth meeting of the States members of the zone, which will be hosted by Benin.

Kenya supports the request of the General Assembly that the Secretary-General keep the implementation of resolution 58/10 under review and that he submit a report to the General Assembly at its sixtieth session.

Panama

[Original: Spanish]
[28 July 2005]

The Government of Panama, through the various resolutions adopted by both the United Nations and OAS and recent statements of the Rio Group, supports the legitimate aspirations expressed by means of territorial claims based on the principle of territorial integrity established by the General Assembly in its resolution 41/11.

III. Replies received from organizations and bodies of the United Nations system

United Nations Office on Drugs and Crime

4. The United Nations Office on Drugs and Crime (UNODC) has assisted and supported national, regional and international efforts to combat transnational organized crime and corruption by providing pre-ratification and implementation assistance for the United Nations Convention against Transnational Organized Crime, its three Protocols and the United Nations Convention against Corruption. UNODC has also provided States members of the zone with technical assistance in the fight against transnational organized crime, trafficking in human beings and corruption, as well as in the area of crime prevention and criminal justice.

5. UNODC organized or assisted in organizing the following regional and subregional meetings in which States members of the zone participated to discuss issues relating to ratification and implementation of the Convention against Transnational Organized Crime, its Protocols, and the Convention against Corruption: a regional ministerial conference of French-speaking countries of Africa (Cairo, 2-4 September 2003); a regional seminar for countries of the Southern African Development Community (Port Louis, 23-25 September 2003); a subregional seminar, jointly organized with the Government of Mali (Bamako, 25-28 November 2003); a regional ministerial conference of French-speaking countries of Africa (Port Louis, 25-27 October 2004); and a regional expert workshop, jointly organized with the Government of Cape Verde (Praia, 8-10 December 2004). Declarations and recommendations adopted at those meetings strongly encouraged participating countries that had not signed the instruments to do so and to ratify them if they had already been signed.

6. Pre-ratification assistance was also undertaken to assist individual countries, including Angola, Benin, Brazil, the Democratic Republic of the Congo, the Gambia, Guinea, Sao Tome and Principe and Sierra Leone. Some States members of the zone have also attended two pilot study tours organized by UNODC and the Government of Portugal for Portuguese-speaking countries on the ratification and implementation of the Convention and its Protocols (November 2003 to November 2004). UNODC has received and is in various stages of responding to requests for assistance from several other countries in the zone.

7. At the time of writing of the present report, 6 States members had signed and 15 States members had ratified the Convention against Transnational Organized Crime; 5 members had signed and 13 members had ratified the Protocol to Prevent,

Suppress and Punish Trafficking in Persons; 6 members had signed and 12 members had ratified the Protocol against Smuggling of Migrants by Land, Air and Sea; 5 members had signed and 4 had ratified the Protocol against the Illicit Manufacturing of and Trafficking in Firearms; and 11 members had signed and 5 members had ratified the Convention against Corruption.

Container control programme

8. Sea freight containers are an integral part of the international trade supply chain, and the volume of freight containers used in global trade increases steadily every year. A fast-growing crime phenomenon was the abuse of commercial sea containers by international organized crime groups for the trafficking of illicit drugs and precursors and for other criminal gain (smuggling of explosives, weapons, munitions, nuclear material and counterfeit reproductions of goods protected under intellectual property rights treaties, etc.).

9. UNODC embarked upon a container control pilot programme in 2004 to assist Governments in selected countries in establishing effective container control units at priority ports. In the region of the South Atlantic, two African States are participating in the pilot phases, namely, Ghana and Senegal, while Brazil is in preliminary negotiations to be included under the programme. The enforcement units to be established would serve to strengthen controls and prevent trafficking in illicit goods and other organized crime, while at the same time facilitating legitimate trade. The programme would develop proper analytical and profiling systems and capacities at the pilot ports so as to identify and interdict containers posing a high risk and to allow the smooth transport of legitimate freight. The programme provided all required technical assistance to the pilot sites to conduct effective analysis and profiling, subsequent control of high-risk containers and follow-up investigation as needed, through a bundled package of training and equipment and, advisory, expert and other services. The dedicated multi-agency port control units comprising customs and enforcement officers, will also receive the search and selection equipment and the computer equipment needed for their analytical work. New partnerships between enforcement and the trade/business communities at ports and at the global level are also being forged.